

CRS Report for Congress

Zimbabwe: 2008 Elections and Implications for U.S. Policy

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Zimbabwe: 2008 Elections and Implications for U.S. Policy

Summary

On March 29, 2008, Zimbabwe held presidential, parliamentary and local elections. More than a month later, the country's political future remains uncertain. For the first time since independence, the ruling party has lost its majority in the National Assembly. After a month of rising tensions, the results of the presidential race were belatedly announced on May 2. They indicated that opposition leader Morgan Tsvangirai had received more votes than the incumbent, President Robert Mugabe, but had failed to garner the 50 percent needed to avoid a runoff.

Reports of violence and political repression have increased significantly since the elections, which were held amidst a deepening economic crisis in the Southern African country. Zimbabwe's gross domestic product (GDP) has decreased over 40 percent in the last decade, the inflation rate is estimated at over 165,000 percent, and unemployment is higher than 80 percent. The adult HIV infection rate of 20 percent has contributed to a sharp drop in life expectancy, and more than a third of the population is expected to require food aid in 2008. Deteriorating conditions in the country have led many Zimbabweans to emigrate to neighboring countries, creating a substantial burden on the region. In South Africa, Zimbabwean immigrants and others have recently been the target of xenophobic attacks.

President Mugabe's government is seen as autocratic and repressive by its critics, and its human rights record is poor. The regime has suppressed freedom of speech and assembly, and many contend that it restricts access to food, already scarce, in opposition areas. Many regional and international observers suggest the presidential runoff, which the government has postponed until June 27, should not be held amidst the current level of political violence. The U.S. Secretary of State has labeled Zimbabwe an "outpost of tyranny," and other Administration officials have accused the ruling party of rigging the election and orchestrating the current violence. The United States has enforced targeted sanctions against top Zimbabwe officials and associates since 2002. Congress has expressed its opposition to the government's undemocratic policies in the Zimbabwe Democracy and Economic Recovery Act of 2001 (P.L. 107-99) and other subsequent legislation, including H.Con.Res. 100, S.Con.Res. 25, S. 1500, S.Res. 533, and H.Res. 1230 during the 110th Congress. For more background, see CRS Report RL32723, *Zimbabwe*.

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Zimbabwe: 2008 Elections and Implications for U.S. Policy

President Robert Mugabe, 84, and his party, the Zimbabwe African National Union - Patriotic Front (ZANU-PF), have ruled Zimbabwe since its independence in 1980. Rising inflation and unemployment rates contributed in the late 1990s to the creation of the opposition Movement for Democratic Change (MDC). The MDC enjoyed initial success, campaigning against a referendum in 2000 that would have expanded the president's powers, made government officials immune from prosecution, and allowed the uncompensated seizure of white-owned land for redistribution to black farmers. The referendum failed, and the MDC won nearly half the parliamentary seats in that year's election. ZANU-PF has since taken numerous, often undemocratic actions to maintain power.

Following the violent March 2007 assault by police on government critics, which drew widespread international criticism, South African President Thabo Mbeki initiated a mediation effort between the Government of Zimbabwe and the opposition. The main objective of the mediation, as described by Mbeki, was to create political conditions for free and fair elections, the results of which would be accepted by all parties. Although the negotiations resulted in the amendment of some laws seen as restricting press freedom and political activity, the talks were abandoned after Mugabe announced that elections would be held on March 29, 2008.¹ Human rights activists argue that the legislative changes were cosmetic and that the talks failed to create a level playing field prior to the elections.²

March 2008 Elections

Election Preparations. Many domestic and international observers assert that elections since 2000 have fallen short of democratic standards. In the period preceding the March 2008 elections, civil society activists reported significant pre-election irregularities. Critics charged that the Zimbabwe Election Commission (ZEC), which oversees elections, lacked independence, and that it was further

¹ The Electoral Laws Amendment Act, which came into effect on January 11, 2008, eliminated one of the two electoral administration bodies and required polling places to be located in areas readily accessible to the public. It also established a continual voter registration process and explicitly prohibited intimidation during the campaign period.

² See, for example, Human Rights Watch (HRW), *All Over Again: Human Rights Abuses and Flawed Electoral Conditions in Zimbabwe's Coming General Elections*, Vol. 20, No. 2(A), March 2008, and International Crisis Group (ICG), Africa Report No. 138, *Zimbabwe: Prospects from a Flawed Election*, March 20, 2008.

crippled by limited administrative capacity and budget shortages.³ The electoral body is led by Justice George Chiweshe, a former military officer, and reports indicate that the Commission and its regional offices are staffed by numerous former military personnel. Reports from domestic groups suggest that the registration process was, at best, inconsistent, and there is no indication that the ZEC addressed alleged inaccuracies in the voters' roll from previous elections. On the eve of the election, the MDC accused the government of printing nine million ballots, even though there were only 5.9 million registered voters.⁴

The March elections were Zimbabwe's first attempt at holding "harmonized" elections for all levels of government (local, National Assembly, Senate, and presidential) simultaneously. In addition to the logistical challenges this posed, civic groups argued that the complexity of a four-ballot election required a nationwide voter education campaign. They claim that the ZEC's education efforts were inadequate and that independent non-governmental organizations (NGOs) were barred from engaging in voter education programs of their own.

The Zimbabwe Election Support Network (ZESN), a domestic observer group composed of 38 NGOs, alleges that the ruling party had redrawn constituencies⁵ to ensure its continued hold on power. In its pre-election report, ZESN argued that there were not enough polling stations designated for urban areas, where the opposition is believed to have its strongest support. ZESN's report also suggested that, as in past elections, the ruling party manipulated state resources for campaign purposes.⁶ And despite amendments to two laws, the Public Order and Security Act (POSA) and the Access to Information and Protection of Privacy Act (AIPPA), which critics suggest restrict freedom of speech and assembly, advocacy groups argue that the police selectively interpreted the laws and significantly limited the MDC's ability to campaign.⁷ Sections of POSA which prohibit false statements "prejudicial" to the state and criminalize statements construed as engendering hostility toward the president remain in effect.

³ Zimbabwe Human Rights NGO Forum, *Can the Elections be Free and Fair in the Current Environment?* March 18, 2008.

⁴ "Opposition Party in Zimbabwe Accuses Mugabe of Printing Millions of Extra Ballots," Associated Press, March 24, 2008.

⁵ Parliament passed Constitutional Amendment No. 18 in late 2007, increasing the number of parliamentary seats from 120 to 210. Following a rushed delimitation exercise, the ZEC presented its final report, which outlined changes to several constituency and ward boundaries, with no time for debate before parliament adjourned at the end of January 2008.

⁶ Lance Guma, "Election Body Calls for More Polling Stations," SW Radio Africa, March 11, 2008, available at [<http://www.allafrica.com>].

⁷ Amendments to POSA allowed groups to present notifications for rallies and demonstrations to the nearest police station, and if denied approval, provided for appeals to be dealt with in a timely manner by the local magistrates court rather than the Home Affairs Minister. Amendments to AIPPA abolished the "journalism without accreditation" offense, although journalists remain prohibited from covering official events, like elections, without accreditation. HRW, *All Over Again: Human Rights Abuses and Flawed Electoral Conditions in Zimbabwe's Coming General Elections*, Vol. 20, No. 2(A), March 2008.

Alleged Vote Buying. In addition to the allegedly partisan administration of the elections, many observers allege that the government used public resources to buy votes. In the weeks preceding the polls, President Mugabe announced significant salary increases for the military and civil servants and signed into law the Indigenisation and Economic Empowerment Bill, requiring foreign-owned firms to transfer 51 percent of their shares to domestic investors. His administration also reportedly distributed vehicles and agricultural equipment worth millions of U.S. dollars to ZANU-PF supporters.⁸ At the same time, in a country where 45 percent of the population is considered by the World Food Program to be malnourished, domestic groups reported numerous incidents of opposition supporters being denied access to state food supplies.⁹

Pre-Election Violence. According to a domestic human rights group, the year prior the 2008 elections was marked by a significant increase in incidents of politically motivated violence from previous years. In 2007, there were 603 reported incidents of torture, 865 incidents of assault, and 2,766 reports of arrest and detention. In the months directly preceding the elections, from November 2007 to March 2008, there were 1775 reported incidents of political violence.¹⁰ The government routinely deployed riot police to break up demonstrations, meetings and rallies, despite changes to the laws regulating freedom of assembly. In January, police allegedly teargassed and assaulted protestors in Harare after a local magistrate overruled a police order banning the march.¹¹ In February, members of the Progressive Teachers Union of Zimbabwe reported being abducted and beaten by ZANU-PF supporters; according to their accounts several members of the police and intelligence service were present during the attacks.¹² According to reports, the perpetrators were not arrested, but the union leaders were charged with violating a law that prohibits the distribution of pamphlets in public areas.¹³

Several of the country's security service chiefs, including the heads of the army and the police, have publicly announced that they would not recognize an electoral victory by anyone other than Mugabe.¹⁴ In speeches and statements to the press, they and other public officials, including the President himself, have referred to opposition leaders as traitors, political witches, and puppets or agents of the West. In October 2007, the International Bar Association issued a report accusing Zimbabwe's police of being "blatantly partisan" and suggesting that the force's failure to guarantee equal

⁸ Zimbabwe Human Rights NGO Forum, *Can the Elections in Zimbabwe be Free and Fair in the Current Environment?* March 18, 2008.

⁹ "Concern Over Pre-Election Environment, Election Update (1)," ZESN Press Statement, January 25, 2008.

¹⁰ Zimbabwe Human Rights NGO Forum, *Can the Elections in Zimbabwe be Free and Fair in the Current Environment?* March 18, 2008.

¹¹ "Zimbabwe: Opposition Activists Teargassed, Beaten," *IRIN*, January 23, 2008.

¹² HRW, *All Over Again: Human Rights Abuses and Flawed Electoral Conditions in Zimbabwe's Coming General Elections*, Vol. 20, No. 2(A), March 2008.

¹³ ICG, "Zimbabwe: Prospects from a Flawed Election," March 20, 2008.

¹⁴ "Zim Prisons Chief Orders Officers to Vote Mugabe," Reuters, February 29, 2008.

protection of the law “is a major obstacle to democracy in Zimbabwe and a considerable impediment to free and fair elections.”¹⁵ As part of the January 2008 electoral reforms, police were banned from the polling stations to allay fears of intimidation. However, just over a week before the elections President Mugabe issued a decree allowing police into polling stations, allegedly to help disabled voters.

Election Monitoring. The Government of Zimbabwe reportedly invited election observers from over 40 countries and regional organizations, including the Southern African Development Community (SADC) and the African Union (AU), but barred observers from countries considered to be critical of its policies.¹⁶ CNN and other western media organizations and journalists were reportedly denied permission to cover the elections.¹⁷ The AU observer mission, led by former President of Sierra Leone Tejan Kabbah, issued a preliminary statement after the elections suggesting that the elections were generally free and fair and expressed the will of the people. Kabbah urged all parties to accept the results. The SADC observer mission found the elections to be “a credible expression of the will of the people” but noted concerns regarding opposition access to the media, inflammatory statements by senior security officials, the presence of police officers at polling stations, and the delay in the publication of the voters’ roll. Two members of the delegation, both from South Africa’s largest opposition party, refused to sign the report, calling the elections “chaotic” and “deeply flawed.”¹⁸ Other observer groups differed with the SADC findings. The delegation of the World Council of Churches, in a joint statement with the African Council of Churches, found the elections to be “skewed in favor of the incumbent who openly utilized state resources to his advantage” and reported media bias, “violence, intimidation and outright confrontation,” and the use of food as a “political tool.”¹⁹

Press Restrictions. Two international journalists, one a Pulitzer Prize-winning American correspondent for the *New York Times*, were arrested on April 3, 2008. After several days in jail, they were released on bail but were blocked from leaving the country. They were acquitted on April 16. Several other journalists, both domestic and foreign, have been arrested since the elections. The director of the ZESN was briefly detained by police on April 14 and questioned about possible ties to the Washington-based National Democratic Institute, which monitors elections worldwide. More recently, the editor of *The Standard*, the country’s only remaining independent newspaper, was arrested on May 5 for printing an editorial by opposition

¹⁵ International Bar Association, *Partisan Policing: An Obstacle to Human Rights and Democracy in Zimbabwe*, An International Bar Association Human Rights Institute Report, October 2007.

¹⁶ “First Poll Observers in Zimbabwe,” *BBC*, March 11, 2008.

¹⁷ “CNN Denied Permission to Cover Elections in Zimbabwe,” *CNN*, March 25, 2008.

¹⁸ Statement issued by South African Member of Parliament Diane Kohler Barnard, “DA Rejects SADC Assessment of Zimbabwe Election as ‘Peaceful and Credible,’” available at [<http://www.da.org.za>].

¹⁹ “Ecumenical Observers Challenge Zimbabwe Election Process and Demand Respect for the Will of the People,” World Council of Churches Press Release, April 29, 2008.

leader Arthur Mutambara entitled, “A Shameful Betrayal of National Independence.” He was later released, but faces trial for publishing statements prejudicial to the state.

Election Results

Parliament. The MDC, which split into two factions in 2005 (known as MDC-T and MDC-M for their respective leaders, Morgan Tsvangirai and Arthur Mutambara), remained divided for the March elections, and this division likely cost the party several parliamentary seats.²⁰ The ZEC, widely criticized for its delayed release of the electoral results, announced the National Assembly results four days after the election. The MDC factions, which reunited on April 28, won a majority in the 220-seat National Assembly with 109 seats, over ZANU-PF’s 97.²¹ Three weeks after the election, the electoral commission conducted a recount of 23 of these races, an overwhelming majority of which were won by the opposition.²² The original results were upheld. On April 6, the ZEC announced that the ruling party had retained its majority in the Senate, where over one-third of its 93 members are appointed by the president. Of the 60 seats directly elected, ZANU-PF won 30, MDC-Tsvangirai 24, and MDC-Mutambara 6. Several senior ruling party members lost their parliamentary seats, including the Ministers of Justice, Agriculture, Mines, Energy, and Transport, and several senior MDC-M parliamentarians, including Mutambara, lost to MDC-T candidates.

The Presidency. The MDC’s decision to contest the election while still divided may also have cost the party a clear victory in the presidential race. In February 2008, then-ZANU-PF senior member Simba Makoni announced his intention to run against President Mugabe in the upcoming elections.²³ He was subsequently expelled from the party and ran as an independent, although he was rumored to have been supported by several senior ruling party officials. MDC faction leader Arthur Mutambara, who had planned to run against Mugabe and Tsvangirai, withdrew as a presidential candidate and expressed his support for Makoni. It is unclear how many supporters of his faction voted for Makoni instead of Tsvangirai.

The main MDC faction claimed victory for Tsvangirai days after the election with over 50 percent of the votes cast, basing its claim on tallies of poll results posted outside the polling stations and constituency centers immediately following the

²⁰ A *Financial Times* report suggests that ZANU-PF won ten parliamentary seats that would have been claimed by the MDC had its votes not been split between the two factions. “Acrimonious Division Cost MDC Success,” *Financial Times*, April 4, 2008.

²¹ The Tsvangirai faction won 99 seats and MDC-Mutambara won 10. One seat was won by an independent, and three seats remain subject to by-elections due to candidates’ deaths.

²² According to press reports, the ZEC conducted the recount in violation of a court order to stop recounts for 23 parliamentary constituencies. The MDC had petitioned the court on the basis that ZANU-PF’s requests for recounts were not valid because they were not filed within 48 hours of the election in accordance with ZEC rules. The court allegedly ruled that a recount could not be ordered until after the original results were released.

²³ Makoni, 57, served as Finance Minister from 2000 to 2002 and was reportedly dismissed after criticizing the administration’s economic policies.

elections. Some have differed with the MDC count, suggesting that while Tsvangirai almost certainly received more votes than Mugabe, he may not have achieved the necessary 50 percent to avoid a runoff.²⁴ ZESN has noted that results were not posted in three constituency tabulation centers despite a legal requirement to do so.

The results of the presidential race were not officially announced until five weeks after the elections. The opposition called for a nationwide strike on April 14 to protest the delayed release of results, asking supporters to stay home rather than to demonstrate publicly. Dozens of opposition supporters, including a newly elected member of parliament, were reportedly arrested that day for allegedly trying to incite violence or for obstructing the freedom of movement. According to reports, the strike was largely unsuccessful. With over 80 percent unemployment, some analysts suggest many Zimbabweans could not afford to miss a day's wages; other Zimbabweans said they had not heard of the strike.²⁵ On the evening of May 2, the ZEC declared that Tsvangirai had received 47.9 percent of the votes, while Mugabe received 43.2 percent and Makoni 8.3 percent. Some in the international community questioned whether the government's delay in releasing the presidential results should be considered a political coup. The MDC appealed unsuccessfully to the courts to have the results released, but the electoral commission claimed that it could not do so until a "process of verification of the presidential ballots" was complete.²⁶

Runoff Elections Called. Although the opposition accuses the government of manipulating the presidential results and initially objected to participating in a runoff, Morgan Tsvangirai has agreed to stand against President Mugabe in a second round of voting. The MDC has suggested that the government had access to the ballot boxes for over two weeks in April without opposition or observer supervision, and thus they could not be sure the ballots had not been tampered with. ZESN has also questioned the validity of the presidential results, saying, "ZESN cannot substantiate ZEC figures as the network is not aware of the chain of custody of the ballot materials during the aforementioned period" and claiming that the delayed announcement of the presidential results undermined the impartiality of the ZEC. These concerns have also been echoed by the United States and others.

Having waited for over a month to hear the final results from the first round of elections, it appears Zimbabweans will have another delay before the second round. While the electoral law requires the government to hold a runoff election within 21 days of announcing the initial results, the ZEC has declared that the runoff will not be held until June 27, three months after the first round. Some analysts have questioned whether Zimbabwe's government can afford another election, estimated to cost up to \$60 million. According to official Reserve Bank figures, government

²⁴ According to ZESN, Tsvangirai received 49.4% of the vote and Mugabe 41.8%."ZESN poll projections on March 29 presidential elections," ZESN press release, March 31, 2008.

²⁵ "Zimbabwe Opposition Strike Fails," *BBC*, April 16, 2008.

²⁶ "Opposition Unites Against Mugabe," *Al Jazeera*, April 28, 2008.

borrowing in the first three months of 2008 was 43 percent above the projected budget deficit for the year.²⁷

The MDC initially called for the immediate deployment of election observers from outside Africa (in addition to the SADC and AU observers) as well as the deployment of regional peacekeepers during the runoff. The party has since modified its demands and suggests that an increased SADC and AU observer presence will be sufficient, if combined with an immediate repeal of restrictions on the MDC's ability to campaign and an end to political violence. The opposition remains largely unable to hold public rallies, which were banned by police in the capital in mid-April. MDC supporters now await the return of Tsvangirai, who has been outside the country since the elections. The party has expressed concerns about his safety and, given post-election statements by government officials accusing Tsvangirai of treason, some believe he will not be allowed to campaign freely inside the country.²⁸ The opposition leader was tried, and acquitted, for treason in 2004. Many observers also remain skeptical that the government will publish the second round results in a timely manner, given the significant first round delay. Based on interviews with high-ranking Zimbabwean officials, the International Crisis Group (ICG) suggests that if the runoff results in a Tsvangirai victory, a military coup will result.²⁹

Coalition Government? Zimbabwe's state-controlled media has sent mixed signals about the regime's post-election plans. On April 23, the government-owned *Herald* newspaper printed an editorial that suggested SADC should mediate between the parties to create a transitional coalition government, led by President Mugabe, that would organize new elections.³⁰ The following day the paper announced on its website that a unity government was "not feasible." The head of South Africa's ruling party has called discussions of a unity government one "appropriate" option.³¹ According to the ICG's sources, some senior ZANU-PF members, including Vice President Joyce Mujuru and Reserve Bank governor Gideon Gono, tried to convince the president to accept a unity government, but were overruled by senior security officials. Critics allege that the ruling party may try to exercise influence over the courts to overturn the MDC's parliamentary majority. Both parties have challenged the results of over 50 parliamentary races, and although the new parliament can be sworn in during the review, the judiciary's findings could affect the balance of power in the parliament. Central to ZANU-PF concerns, its critics assert, are questions regarding immunity for serious human rights abuses committed since independence.

²⁷ "Crisis Looms After Harare Vote-Buying," *Financial Times*, April 11, 2008.

²⁸ Referring to an alleged letter between Tsvangirai and Prime Minister Gordon Brown, Zimbabwe's *Herald* accused the MDC leader of plotting "illegal regime change" and quotes outgoing Justice Minister Chinamasa, "It is clear... that Tsvangirai along with Brown are seeking regime change in Zimbabwe, and on the part of Tsvangirai, this is treasonous... There is no doubting the consequences for acting in a treasonous manner." The MDC says the letter is a forgery. See "Zimbabwe Opposition Accused of Treason," *CNN*, April 17, 2008.

²⁹ ICG, "Negotiating Zimbabwe's Transition," *Africa Briefing No. 51*, May 21, 2008.

³⁰ "West Should Stop Blocking Zimbabwe's Way Forward," *The Herald* (Harare), April 23, 2008.

³¹ "Rift Over Zimbabwe Unity Plan," *New York Times*, April 24, 2008.

Both domestic and international observers have expressed concerns that rising violence in Zimbabwe has contributed to a climate of fear and intimidation that may inhibit voters from participating in a runoff election. The lead South African delegate in SADC's observer mission, Ambassador Kingsley Mamabolo, has suggested that the current political climate is too violent for a runoff, saying "You cannot have the next round taking place in this atmosphere; it will not be helpful."³² The observer mission had been tasked by President Mbeki with investigating allegations of violence, and is expected to produce recommendations to the South African president on how to alleviate tensions. On May 14, SADC's Executive Secretary repeated Mamabolo's findings, "At the moment we can't say the playing ground is safe or will be fair."³³ SADC and the AU have announced a significant increase in the number of poll observers for the runoff.

Post-Election Violence. Although observers suggest that election day was largely peaceful, reports of politically-motivated violence have since increased to a level not seen in two decades, according to advocacy groups. Human Rights Watch has called the reports of violence "a brutal campaign of torture and intimidation" and has documented direct involvement by Zimbabwe's security forces and its officers.³⁴ The Zimbabwe Association of Doctors for Human Rights has reported that its doctors have treated hundreds of victims with injuries consistent with assault and torture since the election date, and that "the violence is now on such a scale that it is impossible to properly document all cases."³⁵ The MDC alleges that over 40 of its supporters have been killed. U.S. Ambassador James McGee has implicated the ruling party in orchestrating the attacks (see **U.S. Policy** below).³⁶

ZANU-PF and the Zimbabwean army have denied involvement with the attacks, although the army, police, intelligence service, "war veterans"³⁷ and Zimbabwe's National Youth Service, also known as the "Green Bombers," have all been implicated. One week after the elections, self-styled war veteran leader Jabuli Sibanda warned, "It has come to our realization that the elections were used as another war front to prepare for the re-invasion of our country.... As freedom fighters, we feel compelled to repel the invasion," echoing a frequent Mugabe refrain that an opposition victory would be tantamount to the British reinstating colonial rule. The state-owned *Herald* newspaper, contributed to fears of a white takeover in the wake of the election, reporting, "An increasing number of white former commercial farmers are reportedly threatening resettled black farmers throughout the country with

³² "Zimbabwe 'Too Violent for Poll,'" *BBC*, May 8, 2008.

³³ "SADC: Zim Not Yet Ready For Fair Vote," *Mail & Guardian* (Johannesburg), May 14, 2008.

³⁴ "Zimbabwe: Army Behind New Wave of Human Rights Abuses," HRW Press Release, April 30, 2008.

³⁵ As of May 9, 2008 the group reported treating 900 people. See "Mbeki Meets Mugabe for Talks," *Al Jazeera*, May 9, 2008.

³⁶ Statement by Ambassador James McGee, "Breaking the Silence on Political Violence in Zimbabwe," issued on May 8, 2008.

³⁷ Some "war veterans" have questionable credentials and some were too young to have participated in the liberation struggle. Other veterans disagree with ZANU-PF's policies.

eviction from their farms or face the wrath of an anticipated ‘incoming MDC government.’”³⁸ These pronouncements coincided with farm invasions throughout the country, and by April 16 the Commercial Farmers Union reported that over 100 of the estimated remaining 400 white farmers had been forced off their lands.

Since independence, Mugabe’s regime has employed terminology associated with military-style campaigns for government programs ranging from the implementation of price controls, known as Operation Reduce Prices, to the demolition of informal urban settlements, or Operation *Murambatsvina* (translated as “Clean Out the Filth”).³⁹ Reports suggest that the recent round of violence has its own campaign name, Operation *Mavhoterapapi* (“Who did you vote for?”).⁴⁰ Critics note the government’s historic use of violent tactics against political opponents, pointing to the infamous Operation *Gukurahundi* (“The rain that washes away the chaff before the rain”), the violent “pacification” campaign by a North Korean-trained military unit, the 5th Brigade, in the 1980s against alleged dissidents and supporters of ZANU-PF’s political rival at the time, the Zimbabwe African People’s Union (ZAPU). *Gukurahundi* is now better known as the Matabeleland Massacres, which resulted in the deaths of as many as 20,000 civilians, mostly from the Ndebele ethnic group in the southwest.⁴¹ That 5th Brigade was led by then-Lt. Col. Perence Shire, now commander of Zimbabwe’s Air Force. Other security officials involved in the campaign now hold senior government posts, including Defense Minister Sydney Sekeremayi and Rural Housing Minister Emerson Mnangagwa. Mnangagwa, then Minister of State Security in charge of intelligence, once reportedly warned that the government would burn down “all the villages infested with dissidents.” He has been considered a possible successor to Mugabe within the party and is rumored to be in charge of Joint Operations Command (JOC), a secretive group of the country’s security chiefs and top commanders, that some allege now control the government.⁴²

Zimbabwe’s rural areas appear to be the hardest hit by the violence; the U.S. Embassy in Harare has documented thousands who have fled the countryside for urban areas. Most Harare medical clinics are at full capacity, according to the U.S. Agency for International Development (USAID).⁴³ Zimbabwe’s largest farmers’ union reports that militias have displaced 40,000 farm workers, and there are

³⁸ “White Former Farmers Threaten Blacks with Eviction,” *The Herald*, May 7, 2008.

³⁹ For more information, see CRS Report RL32723, *Zimbabwe*, by Lauren Ploch.

⁴⁰ “Zimbabwe: Operation Glossary - A Guide to Zimbabwe’s Internal Campaigns,” *IRIN*, May 1, 2008.

⁴¹ For further information on Operation Gukurahundi, see the report by the Catholic Commission for Justice and Peace and the Legal Resources Foundation, *Breaking the Silence - Building True Peace: A Report on the Disturbances in Matabeleland and the Midlands 1980-1988*, April 1999, available at [<http://www.sokwanele.com/pdfs/BTS.pdf>].

⁴² See, for example, “The Opposition Goes for Broke,” *The Economist*, May 17, 2008, and “Zimbabwe Under Military Rule, Former Minister Claims,” *Pretoria News*, May 12, 2008.

⁴³ USAID, *Zimbabwe: Complex Emergency and Drought*, Situation Report 1, May 16, 2008.

widespread reports of burned homes, granaries, and livestock.⁴⁴ Human Rights Watch has detailed the “re-education” and torture of more than 70 MDC supporters, seven of whom reportedly died from their injuries, in Mashonaland province on May 5.⁴⁵ Amnesty International reports that victims are often denied medical access and that humanitarian organizations have been targeted by militias for providing assistance.⁴⁶ The United Nations’ resident representative in Zimbabwe has warned of an impending crisis, stating, “there is an emerging pattern of political violence inflicted mainly, but not exclusively, on suspected followers of the MDC.” The level of violence was confirmed by an 8-person SADC mission, “we have seen it, there are people in hospital who said they have been tortured, you have seen pictures, you have seen pictures of houses that have been destroyed and so on.”⁴⁷

Some who have fled to the cities have faced further intimidation. On April 25, police raided the MDC’s Harare office, arresting some 200 people, many of whom were reportedly supporters who had suffered attacks in their rural homes. Of those arrested, 29 were released that day, the majority were released four days later. Police also raided the office of the domestic observation group, ZESN. In both raids the police, allegedly looking for subversive documents, took computers and documents. On May 9, police arrested the leaders of the Zimbabwe Congress of Trade Unions (ZCTU) based on speeches made at a worker’s day rally. The head of the Progressive Teacher’s Union has also been arrested. On May 5, more than 50 Zimbabweans were reportedly beaten by riot police during a public protest against the ongoing violence in the city of Bulawayo; eleven members of a women’s advocacy group were arrested.

Some Zimbabwean officials, including the country’s police chief, have accused the opposition of rigging and inciting violence. According to press reports, over 100 election officers have been arrested since the elections on charges of committing fraud and abusing public office in favor of the MDC, at least five have been convicted.⁴⁸ Independent reports suggest that teachers, who held many of the election officer positions, have been targeted by government supporters. There are rumors that so-called “war veterans” will be disguised as police in polling places during the runoff to intimidate voters.⁴⁹

⁴⁴ “Hunger Drives Post-Election Violence, Deepens Poverty,” *IRIN*, May 9, 2008.

⁴⁵ “Zimbabwe: End Violence Before June Runoff,” HRW Press Release, May 16, 2008.

⁴⁶ Amnesty International, “Zimbabwe Violence Reaches Crisis Levels,” May 16, 2008.

⁴⁷ “Call for State of Emergency Over Zim Violence,” *Mail & Guardian*, May 14, 2008.

⁴⁸ “New Delay in Zimbabwe Elections,” Voice of America, May 5, 2008.

⁴⁹ “Militias ‘to Rig Zimbabwe Poll,’” *BBC*, May 9, 2008.

Table 1. Regional Efforts to Block Arms Transfer to Zimbabwe

On April 18, 2008, as the Chinese freighter *An Yue Jiang* sat in the waters off South Africa's port city of Durban waiting to unload its cargo, the High Court of South Africa issued a court order blocking the cargo's transfer through South African territory.⁵⁰ According to court documents, the ship carried 77 tons of bullets, rocket-propelled grenades, and mortars bound for Zimbabwe. Freight and dock workers of the South African Transport and Allied Workers Union (SATAWU) had already refused to unload or transport the shipment. Their protest was backed by the powerful Congress of Southern African Trade Unions (COSATU) and International Transport Workers' Federation (ITF), which called for an international boycott of the vessel, dubbed by some as the "Ship of Shame." The unions based their protest on concerns that the weapons could fuel violence in the aftermath of Zimbabwe's elections.

The international media closely tracked the freighter's location as it searched for another African port in which to unload the cargo. Zambia's President publicly urged regional governments to bar the *An Yue Jiang* from entering their waters. He welcomed Mozambique's decision not to allow the ship access, "because we don't want a situation which will escalate the (tension) in Zimbabwe more than what it is." U.S. Assistant Secretary of State Jendayi Frazer called upon both the regional governments and China to prevent the weapons transfer. On April 22, a Chinese Foreign Ministry spokesperson announced that the ship would return to China. The *An Yue Jiang* later docked in Angola to refuel and unload construction supplies bound for the Angolan market, but was denied permission to unload its Zimbabwe cargo.

International Reactions

The international community has been divided over how to respond to the current political impasse in Zimbabwe. As the weeks progressed after the elections without the announcement of official results, world leaders began to debate whether Zimbabwe was "in crisis."⁵¹ MDC leader Morgan Tsvangirai traveled throughout the region to advocate for intervention. The African Union joined the growing number of calls for the release of the election results on April 20. As the delay continued, media attention turned to focus on a Chinese arms shipment bound for Zimbabwe. In an April 23 speech to the House of Commons, British Prime Minister Gordon Brown called for an international arms embargo against Zimbabwe, accusing the government of rigging the elections and calling the political situation "completely unacceptable."⁵² The European Union (EU) maintains targeted sanctions against members of Mugabe's administration, and EU sanctions already prohibit member states from selling weapons to the country. The United States, which also prohibits weapons sales to Zimbabwe and maintains targeted sanctions, has expressed support for Brown's proposal.

⁵⁰ High Court of South Africa Durban & Coast Local Division Case No. 4975/08

⁵¹ The U.S. State Department declared the situation a "crisis" in a news briefing by State Department Spokesman Sean McCormack on April 15, 2008.

⁵² Statement made during the Prime Minister's Question Time before the House of Commons, April 23, 2008, available at [<http://www.number-10.gov.uk>].

The Southern African Development Community (SADC). Zambia's President, Levy Mwanawasa, who is also head of the regional body SADC, convened an extraordinary one-day meeting of the Southern African heads of state on April 12, 2008 to discuss Zimbabwe's elections. SADC has remained largely silent in recent years as Zimbabwe's political and economic crisis has worsened. Mwanawasa, however, expressed public concern with the situation in Zimbabwe in 2007, calling the country "a sinking Titanic whose passengers are jumping out to save their lives."⁵³ He convened a similar emergency summit in late March 2007, following the beating and arrest of opposition officials earlier that month. Although the SADC leaders reportedly chastised President Mugabe privately at that time, they did not publicly condemn the regime's actions and instead appointed South Africa's President Mbeki to mediate between the Zimbabwean government and the opposition.

During the April 12 summit, attended by Tsvangirai and Makoni but not Mugabe, the SADC leaders declined to call the situation in Zimbabwe a crisis. They did, however, publicly urge the government to release the electoral results "expeditiously," allow opposition representatives to be present when vote tabulations were verified, and ensure that a runoff, if needed, would be held in a "secure environment." The SADC leaders also called on Mbeki to continue his role as mediator.⁵⁴ According to some reports, Mwanawasa asked the leaders to seek solutions that would allow "the people's verdict" to be heard so that Zimbabweans could "turn [over] a new leaf in their history." Zimbabwe civil society groups have been supportive of SADC's statements on the electoral results, but critical of its continued support for Mbeki's mediation. Mugabe reportedly called the SADC meeting "a show staged by Britain."⁵⁵

The African Union (AU). In a communique on April 17, the African Union expressed concern over the delayed results, "which creates an atmosphere of tension that is not in the least conducive to the consolidation of the democratic process that was so felicitously launched through the organization of the elections."⁵⁶ In early May, Chairman of the AU Commission Jean Ping led an AU mission to Zimbabwe, Zambia, and South Africa. He called for Zimbabwe's political actors to:

to conduct their activities in a free, transparent, tolerant, and non-violent manner to enable eligible Zimbabweans [to] exercise their democratic rights. It is essential also that peace and security be maintained, and that the will of the people be respected by all stakeholders once the results are announced.⁵⁷

⁵³ "Zimbabwe 'A Sinking Titanic,'" *Financial Times*, March 22, 2007.

⁵⁴ SADC Communique, "2008 First Extra-ordinary SADC Summit of Heads of State and Government Issued on 13 April 2008, in Lusaka, Zambia."

⁵⁵ Fiona Forde, "Summit on Zim 'Coup' Crisis Stalls," *The Sunday Independent*, April 13, 2008.

⁵⁶ African Union Division of Communication and Information, "Communique on the Situation in Zimbabwe," April 17, 2008.

⁵⁷ Statement by the Chairman of the AU Commission on the Situation in Zimbabwe on May (continued...)

While the AU has traditionally deferred to regional mediation efforts, reports suggest the AU Chairman, Tanzanian President Jakaya Kikwete (who is also a member of SADC), may be considering calls to widen the Mbeki-led SADC mediation and encourage a greater role by the United Nations. Kenya's new prime minister, Raila Odinga, and former U.N. Secretary-General Kofi Annan have commented that Southern African leaders could do more to resolve the crisis. Senegalese President Abdoulaye Wade has called for the AU to oversee the second round of elections. Zimbabwe's state media reports that the government has rejected AU and SADC plans to expand their monitoring teams for the runoff and that only the individuals who had been invited to monitor the first round would be allowed to cover the second.⁵⁸

It remains unclear what steps the African Union may take if its observers were to find the runoff election lacking in credibility. The African Union has some precedent for intervening in support of democracy within its member countries, should it chose to do so.⁵⁹ The intervention of AU leaders in the early days of the 2007/2008 Kenyan election crisis is viewed by many as having helped move the two opposed parties toward negotiations and an eventual post-election agreement. Some analysts suggest that if they were to play a similar role in Zimbabwe, it could diffuse the level of political violence, and might allow members of the ruling party who are rumored to support a transition to play a more open role in discussions about a possible coalition government. As in Kenya, however, negotiations toward any sort of transition, or even a power-sharing arrangement, are likely to be extremely challenging, given that they are expected to have to address immunity issues for Mugabe and his security officials. But diplomatic pressure, even from regional leaders, may have a limited effect on the Zimbabwean government. There have been reports that President Mugabe has refused to take calls from the AU leadership, including President Kikwete. Some, including the MDC and South Africa's opposition, have called for the African Union to send a peacekeeping force to Zimbabwe.

⁵⁷ (...continued)

6, 2008, available at [<http://www.africa-union.org>].

⁵⁸ "No New Poll Watchers for Zimbabwe's Runoff: State Media," *Agence France Presse*, May 17, 2008.

⁵⁹ In 2005, after the death of the President of Togo, the Togolese army installed his son as president. The AU declared the intervention to be a military coup and the AU Peace and Security Council demanded the resignation of the new president and urged members to impose diplomatic, travel, and arms sanctions until elections were held. The president stepped down the day after sanctions were imposed. It is notable, in the case of Togo, that the relevant regional body, the Economic Community of West African States (ECOWAS) played an important role in denouncing the coup and leading the campaign for sanctions. In the second instance of AU intervention, the AU suspended Mauritania from all organizational activities after the country's military led a successful coup. The president, in office for 21 years, was considered autocratic, and reports suggest that most Mauritanians supported the military's actions. Nevertheless, the AU upheld the suspension because it opposed the unconstitutional overthrow of a civilian regime. Following an investigation, the AU decided against sanctions, but held the suspension until elections were held in 2007.

South Africa. President Thabo Mbeki has been the target of growing criticism from opposition parties, trade unions, and civil society groups for his reaction to Zimbabwe's elections. Mbeki, after visiting Mugabe in Harare on his way to the April 12 SADC summit, declared he did not believe Zimbabwe was facing a crisis, that the delayed release of the presidential results was a "natural process," and that Zimbabweans must patiently await their release. Tsvangirai has criticized Mbeki for his "quiet support for the dictatorship."⁶⁰

Others within the South African government and its ruling party appear to take a harder line on the Zimbabwe issue than Mbeki. "In resolving the problem of Zimbabwe, Thabo Mbeki is not speaking on behalf of the ANC," a spokesman for the ruling African National Congress youth wing declared in April.⁶¹ The new president of the ANC, Jacob Zuma, who defeated Mbeki in December 2007 for the party presidency, openly criticized the delayed announcement of the results, saying, "There is a crisis in Zimbabwe. We ought to stand up and do something about it." While not directly charging the Mugabe administration with rigging, he has distanced himself from Mbeki's "quiet diplomacy" approach. In late April, he told reporters, "Definitely there is something wrong with those elections.... I think the manner in which the electoral commission has acted has discredited itself, and therefore that is tantamount to sabotaging the elections."⁶² While he has not called for Mbeki to step down as mediator, Zuma has said "I imagine that the leaders in Africa should really move in to unlock this logjam,"⁶³ and called for African leaders to "assist" Mbeki as mediator, "given the gravity of the situation."⁶⁴ The new speaker of the parliament and ANC national chairperson, Baleka Mbete, called the delayed release of results a "democratic process gone wrong." In a gathering of the Inter-Parliamentary Union, she urged representatives of 147 countries not to remain silent on the Zimbabwe issue.⁶⁵

As ANC president, Jacob Zuma is considered the party's heir-apparent to succeed Mbeki as its presidential candidate in the country's May 2009 elections.⁶⁶ Many analysts predict that South African policy toward Zimbabwe would change under a possible Zuma administration.⁶⁷ In the meantime, public pressure may force

⁶⁰ Barry Bearak, "Zimbabwe Opponent Criticizes Mbeki," *New York Times*, February 14, 2008.

⁶¹ "Zimbabwe's Political Crisis Enters South Africa Domestic Politics," Voice of America, April 17, 2008.

⁶² "Zimbabwe Crisis at Critical Level, Warns Zuma," *CNN*, April 24, 2008.

⁶³ "Africa Shows Impatience on Zimbabwe Crisis," Reuters, April 22, 2008.

⁶⁴ "Zuma Ratchets Up Rhetoric Over Zimbabwe," *Financial Times*, April 22, 2008.

⁶⁵ Statement by Speaker Baleka Mbete in Cape Town, April 13, 2008, available at [<http://www.parliament.gov.za>].

⁶⁶ Zuma, who has been linked to a number of controversies, was expected to face corruption charges in August 2008, but his trial date has been postponed. If he were convicted prior to the elections, he would be ineligible to run.

⁶⁷ CRS Report RL31697, *South Africa: Current Issues and U.S. Relations*, by Lauren Ploch.

Mbeki to take a stronger position on the growing violence in neighboring Zimbabwe: in mid-May, President Mbeki visited Zimbabwe for the second time since the elections and dispatched six retired generals to investigate reports of attacks on the opposition. The generals have reportedly expressed shock at the level of violence.⁶⁸

A recent outbreak of xenophobic violence in South Africa has some, including ANC Treasurer Matthews Phosa, calling for early elections in South Africa.⁶⁹ In May 2008, Zimbabweans and other foreign nationals were targeted by mobs in several South African townships; at least 40 have been reportedly killed and over 25,000 have fled their homes. South Africa is home to some three to five million illegal immigrants, most from Zimbabwe, and some South Africans blame them for the country's high crime and unemployment rate and rising food prices. Mbeki and Zuma have both condemned the attacks, but the opposition has condemned the government for not addressing the tensions earlier. On May 21, Mbeki deployed the army internally for the first time since the end of apartheid to stem the violence.

The United Nations. U.N. Secretary-General Ban Ki-moon has joined the United States, Great Britain, and France in calling on the U.N. Security Council to address the Zimbabwe situation. In remarks to the Security Council on April 16, Ban expressed his deep concern with the delayed release of the electoral results, warning,

Absent a transparent solution to this impasse, the situation could deteriorate further with serious implications for the people of Zimbabwe. The Zimbabwean authorities and the countries of the region have insisted that these matters are for the region to resolve but the international community continues to watch and wait for decisive action. The credibility of the democratic process in Africa could be at stake here.

The Secretary-General is now engaging world leaders to determine how the international community could “help the Zimbabwean people and authorities to resolve this issue.”⁷⁰ His concern has been echoed by UN High Commissioner for Human Rights Louise Arbour, who said, “I am particularly concerned about reports of threats, intimidation, abuse and violence directed against NGOs, election monitors, human rights defenders and other representatives of civil society,” and called on the Zimbabwean government and its security forces to “ensure the protection of all Zimbabweans, irrespective of whom they do or do not support politically.”⁷¹

President Mbeki chaired the April 16 Security Council meeting, which was originally called by South Africa, as rotating chairman of the Council, to discuss cooperation between the United Nations and the African Union. U.S. Ambassador to the United Nations Zalmay Khalilzad recommended that a U.N.-AU mission visit the country. The only African representative to address the Zimbabwe issue at the

⁶⁸ “Anxiety Grows for Kidnaped Zimbabwe Activist,” Voice of America, May 18, 2008.

⁶⁹ “Anti-Foreigner Violence Escalates in South Africa,” Reuters, May 19, 2008.

⁷⁰ “U.N. Council and AU to debate Zimbabwe,” Reuters, April 16, 2008.

⁷¹ “Alarmed by Violence in Zimbabwe, Arbour Urges Restraint,” U.N. Press Release, April 27, 2008.

meeting was Tanzanian President Kikwete, who praised SADC for working to “ensure that the will of the people of Zimbabwe is respected,” and suggested that the regional body would meet again soon to discuss Zimbabwe.⁷²

The U.N. Security Council held a special session on April 29 to discuss Zimbabwe, reportedly at the behest of incoming Security Council chair Britain. European and Latin American members pressed for a U.N. envoy to visit the country, while other delegations, including South Africa’s, rejected the proposal. President Mugabe has denounced the closed session as “sinister, racist, and colonial.”⁷³

U.S. Policy on Zimbabwe

Current U.S. Policy. Although the United States’ ability to influence internal developments in Zimbabwe is limited, the U.S. government has been an outspoken critic of the Mugabe Administration. U.S. policy toward Zimbabwe has included a combination of targeted sanctions against the Government of Zimbabwe, including financial and visa sanctions against select individuals;⁷⁴ a ban on transfers of defense items and services; a suspension of non-humanitarian assistance to the government; and support for South Africa’s attempt to mediate between the government and the opposition.

In reaction to the uncertainty following the March elections, the Bush Administration repeatedly called for the immediate release of the results, and in April called for all parties to accept and implement legitimate election results, “including, as appropriate, changes in the parliament, changes in the government.”⁷⁵ The State Department has since expressed “deep concern” about the inadequate “chain of custody” of the ballot boxes in the weeks after the election, and has expressed its view that conditions on the ground would not currently allow for a free and fair runoff. Assistant Secretary of State Jendayi Frazer has accused Mugabe of “trying to steal the election,” saying, “My preferred option would be that the will of the people be accepted. That Mr. Mugabe does the honorable thing and steps down.”⁷⁶

The Bush Administration has been highly critical of the government’s role in the current wave of violence. A State Department spokesman recently urged Mugabe

⁷² “Spotlight Turned on Zimbabwe at UN Council,” Reuters, April 16, 2008.

⁷³ “Zimbabwe Dismisses U.N. Talks,” Reuters, April 30, 2008.

⁷⁴ President Bush imposed these sanctions through Executive Order 13288, issued in March 2003. The Order prohibits transactions with persons, entities, or organizations found to be undermining democratic institutions and processes in Zimbabwe, who are included in a Specially Designated Nationals(SDN) list maintained by the U.S. Treasury Department’s Office of Foreign Assets Control (OFAC).

⁷⁵ News Briefing by State Department Spokesman Tom Casey on April 22, 2008.

⁷⁶ News Briefing by State Department Spokesman Sean McCormack on April 15, 2008, and “Mugabe Trying to Steal Elections, Says U.S. Official,” *CNN*, April 24, 2008.

to “call off his dogs,”⁷⁷ and U.S. Ambassador to Zimbabwe James McGee has publicly condemned what he refers to as a “systematic campaign of violence designed to block this vote for change...orchestrated at the highest levels of the ruling party.”⁷⁸ On May 13, Zimbabwean police tried to interfere with a multi-country diplomatic convoy outside Harare.⁷⁹ The convoy had been visiting hospitals and an alleged interrogation center, and during the encounter a policeman reportedly threatened to beat a U.S. embassy official. Ambassador McGee described seeing evidence of violence of a “massive” scope, including proof that civilians had been interrogated at “torture camp” the convoy visited.⁸⁰ He was later reportedly summoned by Zimbabwe’s Foreign Minister for allegedly violating diplomatic protocol and was warned not to interfere in internal affairs. Embassy staff are collecting evidence and documenting abuses to submit to the United Nations, SADC, and the African Union.

The Administration has increased its calls for African governments to play a greater role in resolving the political impasse. During a visit by the British Prime Minister to Washington, President Bush told the media, “The United Nations and the A.U. must play an active role in resolving the situation in Zimbabwe.”⁸¹ Secretary of State Condoleezza Rice has said more bluntly, “It is time for Africa to step up.”⁸² Secretary Rice has engaged several SADC leaders on how to proceed, and the United States is expected to continue to press the Security Council to discuss the situation.

U.S. Assistance. The United States is one of the largest donors of humanitarian assistance to Zimbabwe, providing over \$93 million in food aid in FY2007 and \$55 million to date in FY2008. The Administration’s FY2009 request for \$45.4 million includes \$19.4 million for health programs and \$26 million in Economic Support Funds, much of which are designated for either governance or economic recovery efforts.⁸³ This reflects a substantial increase from previous years; \$23.2 million was obligated in FY2007 and \$22.9 million in FY2008. Democracy and governance assistance has been augmented by funding from USAID’s global Elections and Political Processes fund (EPP). These resources support political party strengthening, voter registration, and training of election monitors. According to the State Department’s Congressional Budget Justification (CBJ), “in anticipation of a more moderate government arising in 2008,” FY2009 funding will support programs

⁷⁷ Daily Press Briefing by State Department Spokesman Tom Casey, May 1, 2008.

⁷⁸ Statement by Ambassador McGee, “Breaking the Silence on Political Violence in Zimbabwe,” May 8, 2008, available at [<http://harare.usembassy.gov>].

⁷⁹ The convoy included the ambassadors of the United States, Britain, the EU, and Japan; the deputy ambassadors of Tanzania and the Netherlands; and embassy staff and journalists.

⁸⁰ “U.S. Ambassador Says Zimbabwe Government Doing Nothing to Stop Post-Election Violence,” Voice of America, May 14, 2008.

⁸¹ Remarks by President Bush during a press conference with Prime Minister Brown at the White House, April 17, 2008.

⁸² On-the-Record Briefing by Secretary Rice in Washington, DC, April 17, 2008.

⁸³ This amount does not include food aid, which is allocated throughout the year in response to need.

to “re-establish and strengthen democratic institutions, processes and systems, and to build legislative consensus on democratic reform.” Such programs would support legal reforms, national dialogue on key issues, civil society advocacy, and enhanced media capacity. In the event of no change in government in 2008, the CBJ proposes to reprogram these resources to aid opposition efforts to press for reforms.

Congressional Interest. Several Members of Congress have issued statements highly critical of the Mugabe Administration, the delayed release of the election results, and the ongoing political violence. Some have written letters to Bush Administration officials or African leaders. On April 25, the Senate passed S.Res. 533, introduced by Senator John Kerry, calling for the immediate release of the presidential results, an end to the political violence and intimidation, and a peaceful transition to democratic rule. The resolution also supported calls for an international arms embargo and other targeted sanctions against the Mugabe regime, and encouraged the creation of a comprehensive political and economic recovery package in the event a democratic government is installed. The House of Representatives is now considering legislation by Representative Donald Payne condemning the violence and calling for a peaceful resolution to the political crisis.

President Mugabe frequently claims that Western sanctions are to blame for the collapse of the country’s economy, despite the absence of trade sanctions against Zimbabwe. In 2001, Congress passed the Zimbabwe Democracy and Economic Recovery Act (ZDERA) (P.L. 107-99), criticizing the “economic mismanagement” and “undemocratic practices” in Zimbabwe. This legislation called for consultations with allies on economic sanctions and a travel ban. It also prohibited U.S. support for financial assistance to Zimbabwe by international financial institutions until the President has been able to certify that certain conditions pertaining to the rule of law, democratic elections, and legal and transparent land reform have been met. Zimbabwe is, however, already ineligible to receive loans from the International Monetary Fund (IMF) and the World Bank’s International Development Association (IDA) because it is in arrears to those institutions for debt payments.

Policy Options⁸⁴

Diplomatic Pressure. Human rights advocates have urged the United States and other governments to continue diplomatic calls for Zimbabwe’s government to stop the violence, allow international observers for the runoff, and cease government interference with freedoms of speech and assembly. Many analysts suggest that the SADC governments may have the greatest leverage with the Mugabe Administration, but that international support for their efforts could prove helpful. The MDC and others have called for the United Nations to deploy human rights monitors to

⁸⁴ There have been a number of studies conducted on policy options to re-engage Zimbabwe, including, Michelle D. Gavin, *Planning for Post-Mugabe Zimbabwe*, Council on Foreign Relations (CFR) Special Report No. 31, October 2007; Todd Moss and Stewart Patrick, *The Day After Comrade Bob: Applying Post-Conflict Recovery Lessons to Zimbabwe*, Center for Global Development Working Paper no. 72, December 2005; and “After Mugabe: Applying Post-Conflict Recovery Lessons to Zimbabwe,” *Africa Policy Journal*, John F. Kennedy School of Government, Harvard University, vol. 1, Spring 2006.

investigate the ongoing violence. Although South Africa and SADC have already deployed inquiry teams, the presence of U.N. monitors could be influential. The international community also has the option of urging the U.N. Secretary-General to appoint a special envoy to Zimbabwe, although results from the appointment of such an envoy in 2005 were limited.⁸⁵ Nevertheless, as recent developments in the region have shown, President Mugabe's allies within the international community may be less willing to publicly support his government than in the past. Some analysts have suggested that the U.S. government should take greater initiative to expose external sources of support for the government of Zimbabwe.⁸⁶

Diplomatic efforts toward Zimbabwe may progress toward one of three possible outcomes.⁸⁷ Some have suggested that the United States, and others, should push unequivocally for Mugabe's exit, preferably through diplomacy aimed at Southern African leaders.⁸⁸ Certain senior members of ZANU-PF are reportedly amenable to negotiating a power-sharing arrangement with the MDC. According to reports, initial discussions have already begun, but have encountered stiff resistance from senior security officials (See **Accountability** below). Given observations that the current security climate will not allow for a credible runoff, a negotiated settlement may provide the most timely solution to the stalemate. However, details regarding possible immunity deals, the compliance of the security forces, and a timetable for future elections will not be easy. If talks progress, though, the United States will have to determine whether to lift some of its targeted sanctions on select ZANU-PF members who may be invited to join a coalition government.

Recognizing that these negotiations may fail, SADC may be poised to engage the parties on steps to ensure that the runoff election meets SADC's Principles Governing Democratic Elections,⁸⁹ and that the government announces the results in a timely manner and initiates a peaceful democratic transition. Should the election fail to meet these principles, or should the security forces try prevent a democratic transition, the international community may consider tightening sanctions, declaring

⁸⁵ In 2005, the Zimbabwean government implemented *Murambatsvina*, a massive demolition program aimed at allegedly illegal urban structures, which rendered over 700,000 homeless. Then-Secretary-General Kofi Annan named Tanzanian-born Anna Tibaijuka, Executive Director of UN-HABITAT, as the U.N. Special Envoy on Human Settlements Issues in Zimbabwe to investigate the humanitarian impact of the demolitions. The presentation of her report to the U.N. Security Council stirred controversy and China, Algeria, Benin, and Russia objected to debate on it. The majority of Security Council members voted to allow its discussion, albeit in a closed session. Many observers suggest the Zimbabwean government did little to respond to the U.N. envoy's recommendations.

⁸⁶ Gavin, *Planning for Post-Mugabe Zimbabwe*, CFR Special Report No. 31, October 2007.

⁸⁷ Further discussion of these outcomes may be found in ICG, "Negotiating Zimbabwe's Transition," Africa Briefing No. 51, May 21, 2008.

⁸⁸ Stephen Morrison and Mark Bellamy, "The Close of the Mugabe Era," Center for Strategic and International Studies, April 29, 2008.

⁸⁹ The 1992 Treaty establishing SADC commits member states to "consolidate, defend and maintain democracy, peace, security and stability" in the region. The Principles on Elections commits members to adhere to basic democratic standards. These principles can be found at [http://www.sadc.int/english/documents/political_affairs/index.php].

the Mugabe Administration illegitimate and/or recognizing Tsvangirai as President, or referring members of the regime to international justice regimes. Other options, including a possible AU suspension of the Mugabe-led government, have been discussed above (see **African Union** above).

Humanitarian Assistance. The food security situation in Zimbabwe remains critical, with an estimated 4 million people in need of food assistance in 2008. Several Southern African countries have suffered from chronic food insecurity in recent years, stemming from a combination of weather-related and man-made factors, including prolonged drought, floods, poor economic performance, and the impact of HIV/AIDS. Although drought is partly to blame for Zimbabwe's food shortages, analysts believe that disruptions to the farming sector resulting from Mugabe's land seizure program are the main reason for reduced food production.⁹⁰ Nearly all of the country's 4,500 commercial farms have now been taken by the government and redistributed or divided. The government's land redistribution program is reportedly plagued by inefficiencies, with large portions of redistributed land not being actively farmed. Tractors and other inputs to production are in short supply. Thousands of experienced farm workers were reportedly forced to flee seized commercial farms, and many of those who now hold farmland have no agricultural expertise. The displacement of farm workers and vandalism that has followed the March elections also contributes to food insecurity. The 2008 maize harvest has been severely affected by a combination of flooding followed by extreme dry weather. The crop production deficit in much of the country is estimated at 75 to 100 percent.

Global food needs have increased dramatically since the beginning of the 2008, primarily due to rising commodity and fuel prices, and the competition for international resources may severely affect the international community's ability to address food insecurity in Zimbabwe. In May 2008, the World Food Program reported a shortfall of \$272.7 million in its required resources for the country's feeding program from 2008 to 2010. Of the \$46.3 million already received from international donors, over half, \$26 million, has been provided by the United States.

Poor sanitation and water shortages pose serious health risks in Zimbabwe's urban centers. Basic hygiene items, such as soap, have become too expensive for many residents. In the country's second largest city, Bulawayo, service delivery, including garbage collection, has declined severely because of budget shortages, and reports suggest many ambulances and fire trucks sit unused because the city council cannot afford fuel or spare parts. According to U.N. reports, the current violence has impeded the delivery of assistance by NGOs.

⁹⁰ On the land takeovers in Zimbabwe, see AI, *Zimbabwe: Power and Hunger — Violations of the Right to Food*, October 15, 2004.

Economic Recovery.⁹¹ In tandem with diplomatic pressure, the Bush Administration and other international actors have discussed financial incentives and assistance to facilitate Zimbabwe's economic recovery in the event of a democratic transition. Zimbabwe's economy has collapsed in the last decade, and every sector of the economy has been affected. Annual outputs of wheat, maize, and tobacco, once Zimbabwe's largest foreign exchange earner, have plummeted. Manufacturing output dropped over 47 percent in the decade between 1996 and 2006. Zimbabwe's mining sector has been similarly affected, although the platinum industry remains a major income earner for the government.⁹² World Bank and IMF lending has been suspended for more than six years due to nonpayment of arrears, and foreign currency for essential imports, particularly fuel, is in extremely short supply. Zimbabwe's inflation rate, at almost 165,000 percent according to official government figures, is the highest in the world and has contributed significantly to the country's economic collapse. Zimbabweans continue to face steep rises in the prices of food and non-food items, including rents. These factors all contribute to increasing pressure on both the people of Zimbabwe and members of Mugabe's regime.

According to the IMF, the Reserve Bank of Zimbabwe's quasi-fiscal activities are primarily responsible for the surge in the country's money supply in recent years. Losses from such activities were estimated to be 75 percent of GDP in 2006. These activities include monetary operations to absorb excess liquidity; subsidized credit; sustained foreign exchange losses through subsidized exchange rates for selected government purchases and multiple currency practices; and financial sector restructuring. After the government implemented its price control policy in June 2007, cutting prices of basic commodities by 50 percent in an effort to stem inflation, manufacturing output fell more than 50 percent within six months and many firms were forced to close. The price controls also resulted in a shortage of basic goods and have contributed to worsening social indicators. The government's fast track land reform and more recent policy changes like the Indigenization and Economic Empowerment Act, have created significant uncertainty over property rights, deterring foreign direct investment and lowering consumer confidence.

The MDC has outlined its program to revive the economy.⁹³ The party has committed to stop printing new money, eliminate price controls, open foreign

⁹¹ Information in this section was drawn from a variety of sources, including David Coltart, "A Decade of Suffering in Zimbabwe: Economic Collapse and Political Repression under Robert Mugabe," *CATO Institute Development Policy Analysis No. 5*, March 24, 2008; Sonia Munoz, "Central Bank Quasi-fiscal Losses and High Inflation in Zimbabwe: A Note," *IMF Working Paper*, April 2007; and "Zimbabwe: Article IV Consultation - Staff Notes," *IMF Country Report No. 05/360*, October 2005.

⁹² Zimbabwe has the world's second largest reserves of platinum, behind South Africa. The largest mining operations in the country are controlled by Impala Platinum and Anglo Platinum, respectively. These South African-owned companies are the world's largest platinum producers.

⁹³ See, for example, Morgan Tsvangirai, "Freedom for Zimbabwe," *The Wall Street Journal*, March 21, 2008.

exchange,⁹⁴ and bring in the IMF to assist in reforming the government's fiscal policies. Tsvangirai has also floated the idea of replacing the Zimbabwe dollar with a new currency.⁹⁵ Some analysts have suggested that the existing dollar could be temporarily linked to either the South African rand or the U.S. dollar to stabilize its value. The party's economic policy stresses a free market approach, and promises to privatize most state-owned companies, dismantle patronage networks, and simplify the tax code. In recognition that the government's bloated budget has contributed significantly to current economic woes, Tsvangirai has promised a significantly smaller cabinet, should he become president, as part of a deficit-reduction strategy. In addition, the MDC has proposed a land audit and a program to "harmonize" land-tenure so that those on communal lands can hold an individual title. The party would consider compensation for those who lost land illegally.

The State Department's FY2009 budget request states that "If political change ensues and legislative restrictions are lifted, Zimbabwe will need significant support from the United States, in coordination with other donors, to reform, rebuild, and recover." Western donors, including the United States, met twice in Europe in 2007 to explore reconstruction options, and their representatives meet regularly in Harare to coordinate existing aid programs. Some reports suggest, however, that there has been little concrete planning on what this reconstruction support should entail.⁹⁶ Another donor meeting is expected in Europe in summer 2008, and a pledging conference may be considered. Norway has pledged a major economic stabilization package from Nordic countries in return for "a true democratic election" and the adoption of sound fiscal policies, although the exact amount of such a package has not been announced. Britain has made similar pledges, and maintains its willingness to release funds to pay for parts of an orderly land redistribution program if Mugabe retires and the rule of law is returned. By some estimates, the cost of Zimbabwe's economic recovery may be almost \$4 billion over a five-year period to cover food support, land reform, health services and education, infrastructure, balance of payment and budget support, and emergency aid programs. In the event of political change in Zimbabwe, ESF funds in the State Department's FY2009 request would be directed toward support for "monetary and fiscal policy reform and economic revitalization, specifically agricultural and private sector productivity and improvement of the business enabling environment."

The World Bank and the IMF have developed strategies for Zimbabwe's economic recovery, but the IMF suggests that liberalizing the foreign exchange rate will require careful management. Given the need to cut government spending to reduce the government deficit, significant donor assistance will be required to rebuild the public health sector, which according to reports may have lost as much as 80 percent of its skilled workforce. Reviving the country's agriculture industry will require delicate handling to address historical grievances against white Zimbabweans

⁹⁴ The Reserve Bank made a major change to its fiscal policy in May 2008, allowing the Zimbabwe dollar to float to address hyperinflation. Analysts have expressed doubts that the government will maintain this policy if the Zim dollar depreciates faster than expected.

⁹⁵ "Tsvangirai Promises New Zimbabwe Currency," *The Australian*, March 28, 2008.

⁹⁶ Morrison and Bellamy, "The Close of the Mugabe Era," *op cit*.

regarding land distribution and tenure⁹⁷ Congress authorized \$20 million in its ZDERA legislation for land reform assistance for FY2002, and some analysts suggest this level of annual assistance may still be appropriate.⁹⁸

Accountability and Reform. The inability of the country's judicial system to protect its citizens or their property, or to provide due process to those seeking remedy or compensation, suggests a fundamental crisis in the implementation of the rule of law in Zimbabwe. Analysts suggest that the country will require significant judicial and security sector reforms as part of larger constitutional reforms. The people of Zimbabwe will also have to determine what level of accountability they may seek, not only for recent political violence, but for historical grievances and alleged official corruption under the Mugabe Administration. Tsvangirai has proposed the creation of a Truth and Reconciliation Commission similar to that of South Africa, "striking a healthy balance between reconciliation and accountability."⁹⁹ He has offered Mugabe "an honorable exit as... father of the nation," but it is unlikely that such an offer will be extended to all senior security officials implicated in acts of violence.¹⁰⁰ Mugabe and other senior officials, however, may resist a negotiated peaceful exit from power if they fear subsequent prosecution, as occurred with the former presidents of Liberia, Chad, and Zambia.¹⁰¹

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⁹⁷ The U.N. Food and Agriculture Organization (FAO) has suggested that raising the yields of communal farming areas, which compose almost 50 percent of Zimbabwe's land, could guarantee its food security. The country's annual maize requirement for human consumption is estimated at 1.4 million metric tons. The FAO estimates that a \$50 million investment annually for three years to train farmers and provide seeds and fertilizer would significantly increase yields and cost less than what Zimbabwe now pays to import food. See "Zimbabwe: Small Scale Farmers Seen as Backbone of Food Security," IRIN, May 15, 2008.

⁹⁸ Gavin, *Planning for Post-Mugabe Zimbabwe*, Council on Foreign Relations Special Report No. 31, October 2007.

⁹⁹ Morgan Tsvangirai, "Freedom for Zimbabwe," *The Wall Street Journal*, March 21, 2008.

¹⁰⁰ "Zimbabwe Opposition Seeks Peacekeepers for Run-off," Reuters, May 11, 2008.

¹⁰¹ Former Liberian President Charles Taylor now faces war crimes charges before the Special Court for Sierra Leone at the Hague; former Chadian President Hissani Habre is expected to be tried in Senegal for human rights abuses committed by his regime; and former Zambian President Frederick Chiluba is on trial in Zambia for corruption.